

1648  
Bhw

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PTO/SB/21 (08-00)

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/800,240	
	Filing Date	March 6, 2001	
	First Named Inventor	Peter PREVELIGE, Jr.	
	Group Art Unit	1648	
	Examiner Name	Jeffrey S. PARKIN	
Total Number of Pages in This Submission		Attorney Docket Number	057909-11000

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Other  <b><u>PTO Form-1449 with 14 references</u></b>  <b><u>Supplementary European Search Report, Appln. No. EP 01923324 dated 6/14/2004</u></b>  <b><u>PCT International Search Report, Appln. No. PCT/US01/40247 dated 8/1/2001</u></b>
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jeffrey A. Lindeman, Reg. No. 34,658 Nixon Peabody LLP 401 9 <sup>th</sup> Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	August 26, 2004

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# FEE TRANSMITTAL FOR FY 2004

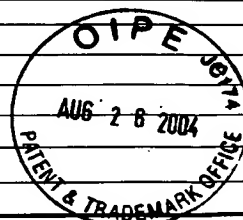
Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180)

Complete if Known

Application Number 09/800/240  
Filing Date March 6, 2001  
First Named Inventor Peter PREVELIGE, Jr.  
Examiner Name Jeffrey S. PARKIN  
Art Unit 1648  
Attorney Docket No. 057909-011000



## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

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☒ Charge fee(s) indicated below ☒ Credit any overpayments

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## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	X	= 0
Independent Claims	-3** =	X	= 0
Multiple Dependent	X		= 0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180)

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop \_\_\_\_\_, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
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Date \_\_\_\_\_

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Typed or printed name \_\_\_\_\_

## SUBMITTED BY

Name (Print/Type)

Jeffrey A. Lindeman

Registration No. (Attorney/Agent)

34,658

Signature

*[Signature]*

## Complete (if applicable)

Telephone

(202) 585-8000

Date

August 26, 2004

SEND TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Application No. 09/800,240  
Docket No. 057909-011000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: )  
Peter PREVELIGE, Jr. ) Examiner: Jeffrey S. PARKIN  
Serial No. 09/800,240 ) Group Art Unit: 1648  
Filed: March 6, 2001 )  
For: METHOD OF MONITORING HIV )  
ASSEMBLY AND MATURATION )

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

U.S. Patent and Trademark Office  
220 20<sup>th</sup> Street, South  
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Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. §1.56, Applicant hereby submits the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. This Information Disclosure Statement is submitted under 37 C.F.R. § 1.97 (c) after a first office action on the merits but prior to the mailing date of any final office action, Notice of Allowance or an action that closes prosecution in the application. Pursuant to 37 C.F.R. § 1.97(c)(2), the Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 19-2380 (057909-011000)

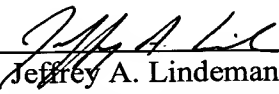
Pursuant to 37 C.F.R. § 1.98, a copy of each document cited in the accompanying PTO-1449 is enclosed. In addition, Applicant submits (1) a copy of the Supplementary European Search Report mailed June 14, 2004 in connection with European Application No. EP 01923324, and (2) a copy of the PCT Search Report mailed August 1, 2001 in connection with PCT Application PCT/US01/40247, both of which claim priority from the same priority application as the instant application.

08/27/2004 EABUBAK1 00000078 192380 09800240

01 FC:1806 180.00 DA

It is requested that the accompanying PTO-1449 be considered and made of record in the above-identified application. To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initial a copy of this form and return the initialed copy to the undersigned.

Respectfully submitted,

By:   
Jeffrey A. Lindeman  
Registration No. 34,658

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Suite 900  
401 9<sup>th</sup> Street, N.W.  
Washington, DC 20004-2128

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August 26, 2004



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	
				Filing Date	
				First Named Inventor	
				Art Unit	
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	057909-011000

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US-5,716,613 A	February 10, 1998	Guber et al.	
	2	US-5,789,245 A	August 4, 1998	Dubensky et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup>	Number <sup>4</sup>			

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	3	EHRlich ET AL., "ASSEMBLY OF RECOMBINANT HUMAN IMMUNODEFICIENCY VIRUS TYPE 1 CAPSID PROTEIN IN VITRO, JOURNAL OF VIROLOGY," VOL. 66, p. 4874-4883 (1992)	
	4	COLIGAN ET AL., "STRATEGIES OF PROTEIN PURIFICATION AND CHARACTERIZATION", CURRENT PROTOCOLS IN PROTEIN SCIENCE, 1.1.1-1.3.7 (1995)	
	5	GROSS ET AL., "IN VITRO ASSEMBLY PROPERTIES OF PURIFIED BACTERIALLY EXPRESSED CAPSID PROTEINS OF HUMAN IMMUNODEFICIENCY VIRUS", EUROPEAN JOURNAL OF BIOCHEMISTRY, VOL. 249, PP. 592-600 (1997)	
	6	GROSS ET AL., "A CONFORMATIONAL SWITCH CONTROLLING HIV-1 MORPHOGENESIS", THE EUROPEAN MOLECULAR BIOLOGY ORGANIZATION JOURNAL, VOL. 19, NO. 1, PP. 103-113 (2000)	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	09/800,240
		Filing Date	March, 6, 2001
		First Named Inventor	Peter PREVELIGE, Jr.
		Group Art Unit	1648
		Examiner Name	Jeffrey S. PARKIN
Sheet 2 of 3	Attorney Docket Number	057909-011000	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	7	HARRISON ET AL., " <b>CHAPTER 3: VIRUS STRUCTURE</b> ", FIELDS VIROLOGY, THIRD EDITION, PP. 59-99 (1996)	
	8	KNEJZLIK ET AL., " <b>ISOLATION AND CHARACTERIZATION OF THE MASON-PFIZER MONKEY VIRUS p12 PROTEIN</b> ", VIROLOGY, VOL. 324, PP. 204-212 (2004)	
	9	MURPHY, " <b>CHAPTER 2: VIRUS TAXONOMY</b> ", FIELDS VIROLOGY, THIRD EDITION, PP. 15-57 (1996)	
	10	PREVELIGE ET AL., " <b>SCAFFOLDING PROTEIN REGULATES THE POLYMERIZATION OF P22 COAT SUBUNITS INTO ICOSAEDRAL SHELLS IN VITRO</b> ", JOURNAL OF MOLECULAR BIOLOGY, VOL. 202, PP. 743-757 (1988)	
	11	PREVELIGE ET AL., " <b>NUCLEATION AND GROWTH PHASES IN THE POLYMERIZATION OF COAT AND SCAFFOLDING SUBUNITS INTO ICOSAEDRAL PROCAPSID SHELLS</b> ", BIOPHYSICAL JOURNAL, VOL. 64, PP. 824-835 (1993)	
	12	PREVELIGE ET AL., " <b>INHIBITING VIRUS-CAPSID ASSEMBLY BY ALTERING THE POLYMERISATION PATHWAY</b> ", TIBTECH, VOL. 16, PP. 66165 (1998)	
	13	SPECTOR ET AL., " <b>THE POST-POLIO SYNDROME: CURRENT CONCEPTS AND TREATMENT</b> ", INFECTIONS IN MEDICINE, PP. 462-478 (1997)	

Examiner Signature	Date Considered
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>			
				Application Number		09/800,240	
				Filing Date		March, 6, 2001	
				First Named Inventor		Peter PREVELIGE, Jr.	
				Group Art Unit		1648	
				Examiner Name		Jeffrey S. PARKIN	
Sheet	3	of	3	Attorney Docket Number		057909-011000	

14	TANG ET AL., "ANTIVIRAL INHIBITION OF THE HIV-1 CAPSID PROTEIN," J. MOL. BIOL. 327, 1013-1020 (2003)	
15	TRONO ET AL., "HIV-1 GAG MUTANTS CAN DOMINANTLY INTERFERE WITH THE REPLICATION OF THE WILD-TYPE VIRUS", CELL, VOL. 59, PP. 113-120 (1989)	
16	VLASUK ET AL., "PURIFICATION AND CHARACTERIZATION OF HUMAN IMMUNODEFICIENCY VIRUS (HIV) CORE PRECURSOR (p55) EXPRESSED IN SACCHAROMYCES CEREVISIAE", THE JOURNAL OF BIOLOGICAL CHEMISTRY, VOL. 264, NO. 20, ISSUE OF JULY 15, PP. 12106-12112 (1989)	

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.